



Docket No.: 200415US2

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COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/727,757

Applicants: Masayoshi MIYAMOTO, et al.

Filing Date: December 4, 2000

For: IMAGE READING APPARATUS, IMAGE  
PROCESSING SYSTEM, IMAGE READING  
METHOD AND IMAGE PROCESSING METHOD

Group Art Unit: 2622

Examiner: Gibbs, Heather D.

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SIR:

Attached hereto for filing are the following papers:

**RESPONSE TO RESTRICTION REQUIREMENT**

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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DOCKET NO: 200415US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

MASAYOSHI MIYAMOTO, ET AL. : EXAMINER: GIBBS, HEATHER D.

SERIAL NO.: 09/727,757 :

FILED: DECEMBER 4, 2000 : GROUP ART UNIT: 2622

FOR: IMAGE READING APPARATUS,  
IMAGE PROCESSING SYSTEM,  
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RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction requirement of October 6, 2004, applicants elect, with traverse, the invention of Group I, Claims 1-17 and 53-69.

Applicants traverse the outstanding Restriction requirement on the grounds that it has not been established that it be an undue burden to examine each of the noted inventions and claims together.

Under M.P.E.P. § 803, a Restriction is not proper if a search and examination can be made without a serious burden on the Examiner, and the outstanding Restriction requirement has not established that examining each of the currently-pending claims together would result in an undue burden.

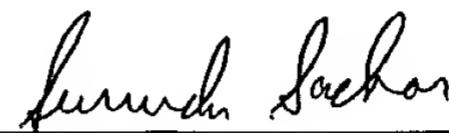
M.P.E.P. § 803 specifically states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

The outstanding Restriction requirement has not established that each of the claims could be examined without an undue burden, and thus each of the noted inventions and claims should be examined on their merits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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